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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, FEBRUARY 1, 2018**

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# JOURNAL OF THE SENATE

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TWENTY-FIFTH CALENDAR DAY  
SIXTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 1, 2018

The Senate met in regular session at 9:02 a.m., President Whitver presiding.

Prayer was offered by Pastor Mario Lara of Life Bridge Church in Des Moines, Iowa. He was the guest of Senator Garrett.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Nick Zaugg.

The Journal of Wednesday, January 31, 2018, was approved.

## ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 9:11 a.m. until 9:00 a.m., Monday, February 5, 2018.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### ECONOMIC DEVELOPMENT AUTHORITY

Industrial New Jobs Training Program Review, pursuant to Iowa Code section 260E.7. Report received on February 1, 2018.

Iowa Economic Development Authority Annual Report, pursuant to Iowa Code section 15.107B. Report received on February 1, 2018.

## DEPARTMENT OF EDUCATION

Iowa Association of School Boards Annual Report, pursuant to Iowa Code section 279.38. Report received on February 1, 2018.

Kindergarten Literacy Assessment (KLA) Report, pursuant to Iowa Code section 279.60. Report received on February 1, 2018.

SAVE/SILO Report, pursuant to Iowa Code section 256.9. Report received on February 1, 2018.

## DEPARTMENT OF HUMAN RIGHTS

Iowa Collaboration for Youth Development Council Annual Report, pursuant to Iowa Code section 216A.140. Report received on February 1, 2018.

## DEPARTMENT OF PUBLIC HEALTH

Board of Medicine and Board of Physician Assistants Joint Report, pursuant to Iowa Code section 148C.12. Report received on February 1, 2018.

## DEPARTMENT OF TRANSPORTATION

Biodiesel and Biodiesel Blended Fuel Revolving Fund, pursuant to Iowa Code section 307.20. Report received on February 1, 2018.

Midwest Regional Rail Passenger Initiative, pursuant to Iowa Code section 327J.3. Report received on February 1, 2018.

Recycling Report, pursuant to Iowa Code section 307.21. Report received on February 1, 2018.

Secondary Road Research Fund Report, pursuant to Iowa Code section 310.36. Report received on February 1, 2018.

Street Research Fund Report, pursuant to Iowa Code section 312.3A. Report received on February 1, 2018.

## TREASURER OF STATE

Linked Investments for Tomorrow Report, pursuant to Iowa Code section 12.38. Report received on February 1, 2018.

## REPORTS OF COMMITTEE MEETINGS

**COMMERCE**

**Convened:** Thursday, February 1, 2018, 2:05 p.m.

**Recessed:** 2:10 p.m.

**Reconvened:** 2:35 p.m.

**Members Present:** Chapman, Chair; Breitbach, Vice Chair; Allen, Ranking Member; Boulton, Feenstra, Guth, C. Johnson, Lykam, Mathis, McCoy, Petersen, Sinclair, Zaun, and Zumbach.

**Members Absent:** Bertrand (excused).

**Committee Business:** Passed [SF 2054](#) and Approved SSBs 1179, 3051, 3053, 3054, and 3056.

**Adjourned:** 3:00 p.m.

## EDUCATION

**Convened:** Wednesday, January 31, 2018, 4:05 p.m.

**Members Present:** Sinclair, Chair; Edler, Vice Chair; Quirmbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, Hogg, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom.

**Members Absent:** None.

**Committee Business:** AEA Presentation; and approved [SF 128](#).

**Adjourned:** 5:00 p.m.

## HUMAN RESOURCES

**Convened:** Wednesday, January 31, 2018, 3:05 p.m.

**Members Present:** Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

**Members Absent:** Chapman (excused).

**Committee Business:** Presentation by Wendy Rickman of DHS; and distributed list of committee bills.

**Adjourned:** 4:00 p.m.

## STATE GOVERNMENT

**Convened:** Wednesday, January 31, 2018, 2:20 p.m.

**Members Present:** Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun.

**Members Absent:** Horn (excused).

**Committee Business:** Passed [SSB 3022](#).

**Adjourned:** 2:35 p.m.

**TRANSPORTATION**

**Convened:** Tuesday, January 9, 2018, 1:30 p.m.

**Members Present:** Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bertrand, Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

**Members Absent:** None.

**Committee Business:** Introductions.

**Adjourned:** 1:45 p.m.

**ALSO:**

**Convened:** Wednesday, January 24, 2018, 3:05 p.m.

**Members Present:** Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

**Members Absent:** Bertrand (excused).

**Committee Business:** Subcommittees.

**Adjourned:** 3:10 p.m.

**ALSO:**

**Convened:** Wednesday, January 31, 2018, 3:05 p.m.

**Members Present:** Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach.

**Members Absent:** Bertrand and Horn (both excused).

**Committee Business:** Passed SSBs 3048 and 3049; approved [SF 2067](#); and DOT speakers.

**Adjourned:** 3:55 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION**

**Convened:** Thursday, February 1, 2018, 10:05 a.m.

**Members Present:** Guth, Chair; Mathis, Ranking Member; Lykam, and Zumbach.

**Members Absent:** Chapman, Vice Chair (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 11:05 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** Thursday, February 1, 2018, 10:00 a.m.

**Members Present:** Shipley, Chair; Brown, Vice Chair; Hart, Ranking Member; and Kinney.

**Members Absent:** Rozenboom (excused).

**Committee Business:** Presentation on the Honey Creek State Resort.

**Adjourned:** 10:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Convened:** Thursday, February 1, 2018, 10:10 a.m.

**Members Present:** Costello, Chair; Segebart, Vice Chair; Ragan, Ranking Member; Bolckom, and Edler.

**Members Absent:** None.

**Committee Business:** Discussed MCOs.

**Adjourned:** 10:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

**Convened:** Thursday, February 1, 2018, 10:15 a.m.

**Members Present:** C. Johnson, Chair; Kapucian, Vice Chair; McCoy, Ranking Member; Bowman and Smith.

**Members Absent:** None.

**Committee Business:** None.

**Adjourned:** 11:10 a.m.

**INTRODUCTION OF BILLS**

[Senate File 2152](#), by Greene, a bill for an act relating to the transferability of investment tax credits issued to eligible housing

businesses under the enterprise zone program, including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 2153](#), by Garrett, Edler, Shipley, Costello, Lofgren, Guth, Carlin, Chelgren, Schultz, Chapman, Greene, Segebart, C. Johnson, Behn, Feenstra, Sinclair, Rozenboom, Zumbach, Zaun, Bertrand, and Brown, a bill for an act providing for the constitutionality of statutes and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 2154](#), by Guth, Schultz, Rozenboom, Carlin, Chapman, Costello, Segebart, Chelgren, Garrett, Edler, Bertrand, Kraayenbrink, C. Johnson, Behn, Lofgren, Greene, Feenstra, Shipley, and Brown, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 2155](#), by committee on State Government, a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2156](#), by Greene, a bill for an act relating to the applicability of beverage containers control provisions to specified beverage containers and the monetary value of deposits and refunds pursuant to those provisions.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 2157](#), by Greene, a bill for an act adding certain medical conditions to the list of debilitating medical conditions under the medical cannabidiol Act.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 2158](#), by Greene, a bill for an act relating to Medicaid program eligibility.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 2159](#), by Ragan, a bill for an act relating to the implementation of a centralized direct care workforce database.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 2160](#), by Smith, a bill for an act relating to the posting by public schools of the department of human services' child abuse hotline telephone number.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 2161](#), by Hogg, a bill for an act relating to activities associated with agriculture, natural resources, and the environment, including by increasing the sales and use tax rates, transferring moneys to the natural resources and outdoor recreation trust fund, funding certain government entities and initiatives, providing for an Iowa water policy, establishing water quality and water management objectives, goals, and benchmarks, regulating confinement feeding operations, making appropriations, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 2162](#), by committee on Transportation, a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2163](#), by committee on Transportation, a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2164](#), by committee on Education, a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

#### STUDY BILLS RECEIVED

[SSB 3136](#)      **Human Resources**

Relating to the Iowa prescription monitoring program by establishing an advisory committee.

[SSB 3137](#)      **State Government**

Proposing an amendment to the Constitution of the State of Iowa relating to the quorum necessary to transact certain business for each house of the general assembly.

[SSB 3138](#)      **State Government**

Relating to energy conservation requirements contained within the state building code or adopted by governmental subdivisions, and including effective date provisions.

[SSB 3139](#)      **Commerce**

Relating to the sale of motor homes on Sundays.

[SSB 3140](#)      **Local Government**

Relating to municipal utility retirement systems.

[SSB 3141](#)      **Judiciary**

Relating to nonsubstantive Code corrections.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2112](#)

HUMAN RESOURCES: Segebart, Chair; Chelgren and Jochum

[Senate File 2122](#)

TRANSPORTATION: Brown, Chair; Danielson and Kraayenbrink

[Senate File 2140](#)

HUMAN RESOURCES: Segebart, Chair; Chelgren and Mathis

[Senate File 2141](#)

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

[Senate File 2142](#)

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

[Senate File 2144](#)

LOCAL GOVERNMENT: Guth, Chair; Hogg and Kraayenbrink

[Senate File 2146](#)

JUDICIARY: Dawson, Chair; Kinney and Shipley

[Senate File 2147](#)

JUDICIARY: Edler, Chair; Kinney and Sinclair

[Senate File 2149](#)

HUMAN RESOURCES: Segebart, Chair; Bolkcom and Chelgren

[Senate File 2150](#)

HUMAN RESOURCES: Segebart, Chair; Chelgren and Ragan

[Senate File 2152](#)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and Breitbach

[Senate File 2153](#)

JUDICIARY: Garrett, Chair; Boulton and Schultz

[SSB 1177](#)  
(Reassigned)

JUDICIARY: Schneider, Chair; Taylor and Zaun

[SSB 3136](#)

HUMAN RESOURCES: Greene, Chair; Quirnbach and Segebart

[SSB 3137](#)

STATE GOVERNMENT: Smith, Chair; Bisignano and Chapman

[SSB 3138](#)

STATE GOVERNMENT: Smith, Chair; Chapman and Danielson

[SSB 3139](#)

COMMERCE: Zumbach, Chair; Bertrand and Boulton

[SSB 3140](#)

LOCAL GOVERNMENT: Lofgren, Chair; Hogg and Kraayenbrink

[SSB 3141](#)

JUDICIARY: Shipley, Chair; Edler and Taylor

## FINAL COMMITTEE REPORT OF BILL ACTION

### EDUCATION

**Bill Title:** [\\*SENATE FILE 2164 \(SSB 3109\)](#), a bill for an act relating to the state school foundation program by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2018, modifying provisions relating to school district property tax replacement payments, and including effective date provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Sinclair, Edler, Behn, Chelgren, Greene, C. Johnson, Kraayenbrink, Lofgren, and Rozenboom. Nays, 6: Quirnbach, Bowman, Danielson, Dvorsky, Hart, and Hogg. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on [Senate File 2164](#), and they were attached to the committee report.

**STATE GOVERNMENT**

**Bill Title:** [SENATE FILE 2155 \(SSB 3022\)](#), a bill for an act concerning public investment maturity limitations relating to the operating funds of political subdivisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Smith, Chapman, Bisignano, Bowman, Brown, Carlin, Danielson, Dawson, Dvorsky, Feenstra, Jochum, Schneider, Schultz, and Zaun. Nays, none. Absent, 1: Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**TRANSPORTATION**

**Bill Title:** [SENATE FILE 2067](#), a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 2162 \(SSB 3049\)](#), a bill for an act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Danielson, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Bertrand and Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE FILE 2163 \(SSB 3048\)](#), a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Kapucian, Breitbach, Bowman, Bisignano, Brown, Carlin, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, 1: Danielson. Absent, 2: Bertrand and Horn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on February 1, 2018, to investigate the appointment and reappointment of the following appointees:

### AGRICULTURE

As a member of the State Soil Conservation Committee:

Steve Hofmann – Brown, Chair; Bowman and Shipley

### COMMERCE

As Superintendent of Credit Unions:

Katie Averill – Breitbach, Chair; Boulton and Guth

As a member of the Iowa Finance Authority:

Gilbert Thomas – Feenstra, Chair; McCoy and Sinclair

As a member of the Telecommunications and Technology Commission:

Bob Holz – Zaun, Chair; Allen and Zumbach

As a member of the Title Guaranty Division Board:

Jason Froehlich – Guth, Chair; Mathis and Sinclair

### EDUCATION

As a member of the Early Childhood Iowa State Board:

Kathryn Dorsey – Rozenboom, Chair; Hart and Lofgren

As a member of the Board of Educational Examiners:

David Schipper – Edler, Chair; Bowman and Chelgren

As a member of the Iowa Higher Education Loan Authority:

Beverly Wharton – Behn, Chair; C. Johnson and Quirmbach

As a member of the School Budget Review Committee:

Martha Bruckner – Kraayenbrink, Chair; Dvorsky and Greene

**HUMAN RESOURCES**

As a member of the Commission on Aging:

Suzanne Heckenlaible – Segebart, Chair; Garrett and Ragan

As Director of the Department of Human Services:

Jerry Foxhoven – Segebart, Chair; Bolkcom and Shipley

As a member of the Mental Health and Disability Services Commission:

Dennis Bush – C. Johnson, Chair; Costello and Jochum

As a member of the Board of Sign Language Interpreters and Transliterators:

Albert Mingo – Chapman, Chair; Chelgren and Quirmbach

**JUDICIARY**

As a member of the Iowa State Civil Rights Commission:

Sam Kooiker – Sinclair, Chair; Schultz and Taylor

As a member of the Board of Corrections:

W. Thomas Phillips – Schneider, Chair; Sinclair and Taylor

As members of the Commission on Judicial Qualifications:

William Brown – Zaun, Chair; Dawson and Taylor

Dr. Leah Johnson – Schultz, Chair; Shipley and Taylor

O. Jay Tomson – Schultz, Chair; Schneider and Taylor

As Chairperson of Board of Parole:

Jeff Wright – Zaun, Chair; Schneider and Taylor

As a member of the Board of Parole:

Jeff Wright – Zaun, Chair; Schneider and Taylor

As State Public Defender:

Larry Johnson – Schneider, Chair; Garrett and Taylor

### LABOR AND BUSINESS RELATIONS

As members of the Iowa Workforce Development Board:

Kelly Barrick – Breitbach, Chair; Dotzler and Guth  
 Gina Bettini – Breitbach, Chair; Dotzler and Guth  
 Jeff DeVries – Breitbach, Chair; Dotzler and Guth  
 Steven Gilbert – Breitbach, Chair; Dotzler and Guth  
 Quentin Hart – Breitbach, Chair; Dotzler and Guth  
 Carmen Heck – Breitbach, Chair; Dotzler and Guth  
 Jayson Henry – Brown, Chair; Bisignano and Costello  
 Jay Iverson – Brown, Chair; Bisignano and Costello  
 Becky Jacobsen – Brown, Chair; Bisignano and Costello  
 Amy Larsen – Brown, Chair; Bisignano and Costello  
 Ruby Mateos – Brown, Chair; Bisignano and Costello  
 Nancy McDowell – Brown, Chair; Bisignano and Costello  
 Sondra Meyers – Guth, Chair; Costello and Taylor  
 Richard Moon – Guth, Chair; Costello and Taylor  
 Randy Moore – Guth, Chair; Costello and Taylor  
 Anne Parmley – Guth, Chair; Costello and Taylor  
 Cara Sanders – Guth, Chair; Costello and Taylor  
 Philip Tuning – Guth, Chair; Costello and Taylor

### NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

Rebecca Guinn – Kapucian, Chair; Dvorsky and Kraayenbrink  
 Barbara Hovland – Kapucian, Chair; Kinney and Kraayenbrink

### STATE GOVERNMENT

As a member of the Commission on the Status of African Americans:

Matthew Gibson – Carlin, Chair; Brown and Horn

As a member of the Architectural Examining Board:

Scott Hatfield – Schultz, Chair; Dvorsky and Feenstra

As a member of the Board of Cosmetology Arts and Sciences:

Cynthia Hummel – Schultz, Chair; Danielson and Feenstra

As a member of the Electrical Examining Board:

Daniel Wood – Schultz, Chair; Bowman and Feenstra

As a member of the Engineering and Land Surveying Examining Board:

Todde Folkerts – Carlin, Chair; Chapman and Jochum

As a member of the Board of Hearing Aid Specialists:

Nicholas Woolley – Carlin, Chair; Bisignano and Chapman

As members of the Interior Design Examining Board:

Joan Birk – Carlin, Chair; Bisignano and Chapman  
Danielle Williams – Carlin, Chair; Chapman and Dvorsky

As a member of the Iowa Lottery Authority Board of Directors:

Sherrae Hanson – Carlin, Chair; Bisignano and Chapman

As members of the Board of Medicine:

Dr. Warren Gall – Smith, Chair; Bowman and Feenstra  
Teresa Garman – Smith, Chair; Bowman and Feenstra

As a member of the Board of Mortuary Science:

David Langkamp – Brown, Chair; Carlin and Horn

As members of the Board of Nursing:

Sue Putnam – Brown, Chair; Carlin and Danielson  
Gwen Suntken – Brown, Chair; Carlin and Danielson

As a member of the Board of Physical and Occupational Therapy:

Bradley Earp – Chapman, Chair; Feenstra and Jochum

As a member of the Iowa Public Information Board:

Monica McHugh – Chapman, Chair; Feenstra and Jochum

As a member of the Real Estate Commission:

Elizabeth Hansen – Smith, Chair; Bisignano and Feenstra

#### **TRANSPORTATION**

As Director of Transportation:

Mark Lowe – Kapucian, Chair; Breitbach and Danielson

**VETERANS AFFAIRS**

As Executive Director of the Commission of Veterans Affairs:

Steve Lukan – Bertrand, Chair; Bowman and Lofgren

As a member of the Commission of Veterans Affairs:

John Kost – Lofgren, Chair; Dawson and Ragan

As Commandant of the Iowa Veterans Home:

Timon Oujiri – Bertrand, Chair; Allen and Edler

**WAYS AND MEANS**

As a member of the Economic Development Authority:

Phil Kooima – Feenstra, Chair; Brown and Dotzler